

April 21, 2015

Freedom of Information Officer
U.S. EPA Headquarters
Washington, D.C.

Dear FOIA Officer:

Please accept this request for information, pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA") and the U.S. Environmental Protection Agency's ("EPA") FOIA regulations at 40 C.F.R. Part 2. This request seeks copies of any and all information request letters sent by EPA, pursuant to section 114 of the Clean Air Act, 42 U.S.C. § 7414, to any owner or operator of one or more facilities in the chemical lime industry. For purposes of this request, EPA may limit its search and response to just those responsive records dated from January 1, 2013, to present.

Please note that this request does not seek responsive information from any recipients of EPA's section 114 letters, but rather the section 114 letters only (including any and all attachments thereto). Therefore, I believe the information requested herein is publicly available and not exempt from mandatory disclosure under FOIA. However, to the extent that EPA believes one or more responsive records contain information that qualifies for withholding, we respectfully request that EPA exercise its discretionary disclosure authority, consistent with the policies of the Federal government.¹ In addition, I request that EPA provide "reasonably segregable portion[s]" of any responsive record EPA believes to contain exemption information. *See* U.S.C. § 552(b) (sentence immediately following exemptions). Should EPA ultimately decide to withhold any responsive information, please describe for each record or partial record withheld the basis upon which EPA relies for its decision to withhold the record or partial record.

I am willing to pay the costs associated with this FOIA request up to \$500 without further authorization. Should EPA's costs exceed this amount, please contact me immediately to discuss further cost assurance.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me at (205) 226-3453 or tsimpson@balch.com.

Sincerely,

BALCH & BINGHAM LLP


Tal Simpson

¹ *See* Presidential Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act, 74 Fed. Reg. 4683 (Jan. 21, 2009) (FOIA "should be administered with a clear presumption: [i]n the face of doubt, openness prevails"); Attorney General Holder's Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act (Mar. 19, 2009) ("strongly encourag[ing] agencies to make discretionary disclosure of information").